



Atty. Dkt. No. 070538-0115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cindy ORSER et al.
Title: DETECTION OF
CONFORMATIONALLY
ALTERED PROTEINS AND
PRIONS
Appl. No.: 10/728,246
Filing Date: 12/4/2003
Examiner: Keri A. Moss
Art Unit: 1743
Confirmation Number: 8108

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Adlyfe, Inc., having its principal place of business at 9340 Key West Ave., Rockville, MD 20850, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/728,246, filed December 4, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/161,061, filed May 30, 2002, which claims the benefit of Serial No. 60/295,456, filed May 31, 2001, by virtue of an Assignment filed and recorded on February 17, 2006, on Reel/Frame 017591/0704, and an Assignment filed and recorded on February 21, 2007, on Reel/Frame 018914/0452, in the United States Patent and Trademark Office, copies of which are attached hereto as APPENDICES A & B. Further, your Petitioner represents that it is the owner of U.S. Patent No. 7,166,471, which issued on U.S. Patent Application No. 10/161,061, filed May 30, 2002, and claims the benefit of Serial No. 60/295,456, filed May 31, 2001, by virtue of an Assignment filed and recorded on February 5, 2003 on Reel/Frame 013731/0071, and an

Assignment filed and recorded on February 21, 2007 on Reel/Frame 018911/0570, in the United States Patent and Trademark Office, copies of which are attached hereto as APPENDICES C & D.

Your Petitioner, Adlyfe, Inc., hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 7,166,471, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 7,166,471 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 7,166,471 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 7,166,471 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 7,166,471 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 7,166,471, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law, including, but not limited to the provisions of 35 U.S.C. §§155, 155A or 156.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that she has reviewed the Assignments attached as APPENDICES A through D, and to the best of her knowledge and belief, legal title to the above identified patent application and U.S. Patent 7,166,471 rests with Petitioners, Adlyfe, Inc. The undersigned declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date July 2, 2007

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4094
Facsimile: (202) 672-5399

By Courtenay C. Brinckerhoff

Courtenay C. Brinckerhoff
Attorney for Applicant
Registration No. 37,288